

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, FEBRUARY 16, 2006  
8:30 A.M.**

Commissioners Present: Bob Workman, Vice Chair  
Larry Hudkins  
Ray Stevens

Commissioners Absent: Deb Schorr, Chair  
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Vice Chair opened the meeting at 8:35 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,  
FEBRUARY 2, 2006**

**MOTION:** Stevens moved and Hudkins seconded approval of the Staff Meeting minutes of February 2, 2006. Hudkins, Stevens and Workman voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Request from County Sheriff's Office for an Overhead Monitor
- B. Rural to Urban Transportation System (RUTS) Agreement
- C. Request from Lincoln Housing Authority for a Meeting to Discuss Request to Open West Superior Street for Construction Access

**MOTION:** Hudkins moved and Stevens seconded approval of the additions to the agenda. Stevens, Hudkins and Workman voted aye. Motion carried.

**3 LEGISLATIVE UPDATE** - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A).

Terry Wagner, Lancaster County Sheriff, appeared and expressed concern regarding LB 1064 (Change provisions relating to property tax liens and collection). He said the lobbyist for the Nebraska Sheriff's Association plans to testify in opposition.

**MOTION:** Hudkins moved and Stevens seconded to: 1) Oppose LB 1064; 2) Authorize Rick Boucher, Nebraska Sheriff's Association, to represent the County's position at the legislative hearing; and 3) Direct Gordon Kissel, Legislative Consultant, to work to defeat the bill.

Wagner gave an overview of LB 1078 (Change provisions governing costs of training at the law enforcement training center).

**MOTION:** Hudkins moved and Stevens seconded to support LB 1078. Workman, Hudkins and Stevens voted aye. Motion carried.

Wagner said he testified before the Appropriations Committee to have Byrne Grant funds restored to the Nebraska Crime Commission budget (the City and County have used the funds in the past to fund the Drug Task Force).

Kerry Eagan, Chief Administrative Officer, expressed concern regarding LB 812 (Change property tax protest and appeal provisions).

Hudkins said Senator Kremer believes he has enough votes to bring forth a bill to lower agricultural land valuation to 70% and make it part of the tax relief package. He voiced concern regarding the impact to the County.

**ACTION ITEMS**

- A. Microcomputer Requests:
  - 1. C#2006-060, \$271.43 from Sheriff's Budget for a 17" Flat Panel Monitor

Bill Jarrett, Chief Deputy Sheriff, appeared and said a flat panel monitor is needed because there is limited desk space. He presented two articles that address the advantages and disadvantages of flat panel monitors versus CRT's (Exhibit B).

**MOTION:** Stevens moved and Hudkins seconded approval. Workman, Stevens and Hudkins voted aye. Motion carried.

## ADDITIONS TO THE AGENDA

### A. Request from County Sheriff for an Overhead Monitor

Jarrett said the Sheriff's Office would like to purchase a 42" LCD overhead monitor for teleconferencing, training and posting of reports and wanted notices. He said three informal bids were received:

- ▶ Circuit City - \$1,295 (May only be purchased with a credit card)
- ▶ Best Buy - \$2,800
- ▶ Information Services - \$3,800

Jarrett estimated the cost of a bracket at \$295.

**MOTION:** Hudkins moved and Stevens seconded to authorize the Sheriff's Office to purchase an overhead monitor and bracket from Circuit City, as outlined, with the department credit card. Workman, Stevens and Hudkins voted aye. Motion carried.

#### 4 **PENDING LITIGATION** - Doug Cyr, Chief Administrative Deputy County Attorney; Kristy Mundt and Tom Fox, Deputy County Attorneys

**MOTION:** Hudkins moved and Stevens seconded to enter Executive Session at 9:07 a.m. for discussion of pending litigation. Stevens, Workman and Hudkins voted aye. Motion carried.

**MOTION:** Stevens moved and Hudkins seconded to exit Executive Session at 10:07 a.m. Workman, Hudkins and Stevens voted aye. Motion carried.

#### 5 **RELOCATION OF EMERGENCY OPERATIONS CENTER (EOC)** - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, said the cost of moving his operation to the 233 Building and renovating basement space is \$299,703. He said a federal grant for communications equipment will reduce that cost by \$46,000. Square footage would increase from 1,100 to 4,800 square feet, which should meet the department's needs through 2050. Ahlberg presented the Federal Emergency Management Agency's (FEMA's) recommended EOC layout for cities or counties with a population of 300,000, noting that 10,000 square feet of space is recommended (Exhibit C). He suggested that the EOC be configured in the form of an amphitheater so it can be utilized as a joint City/County training facility for departments and agencies that lack such a facility.

Workman said the Public Building Commission (PBC) has discussed a 4,000 square foot addition to the 9<sup>th</sup> & J Street Building and the addition of a basement to house Emergency Management and 911/Emergency Communications.

Ahlberg said it would not provide enough space to accommodate both operations. He said he believes 911/Emergency Communications' short term needs could be met by expansion into the space that currently houses Emergency Management. A new facility at Jensen Park (South 84<sup>th</sup> Street and Yankee Hill Road) is in the City's 2010 Capital Improvement Program (CIP) to address long-term needs. Ahlberg said Emergency Management could co-locate in that building and the downtown facility could serve as a back-up facility.

In response to a question from Workman, Ahlberg said he favors relocation to the 9<sup>th</sup> & J Street Building. He said he will contact the architect and get cost estimates.

**6 FINAL FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)  
PAYMENTS FOR MAY 22, 2004 TORNADO - Doug Ahlberg,  
Emergency Management Director**

Doug Ahlberg, Emergency Management Director, said Lancaster County has received its final payment from FEMA for the May 22, 2004 tornado. The funds, which total \$140,506, are in the form of donated resource funds and are the result of registering volunteers and their activities in southern Lancaster County, outside the city limits of Hallam. Hallam will receive approximately \$220,000 in donated resource funds. He proposed the following distribution of funds:

- ▶ Reimburse the County Engineer \$26,674.63
- ▶ Reimburse the County Sheriff \$89,985.87
- ▶ Purchase a new plotter for the County Assessor (\$10,995)
- ▶ Retain the remaining balance of \$12,870.00 to fund communication needs for:
  - A) New command post
  - B) Siren testing system

Ahlberg said the County Assessor's Office has agreed to give its existing plotter, which is approximately three years old, to Emergency Management.

**MOTION:** Hudkins moved and Stevens seconded approval of the Emergency Management Director's plan for distribution of the Federal Emergency Management Agency (FEMA) funds.

Stevens noted that there is a slight discrepancy in the figures and asked Ahlberg to recalculate them.

**ROLL CALL:** Workman, Stevens and Hudkins voted aye. Motion carried.

**7 JUVENILE DETENTION SERVICES CONTRACT** - Michelle Schindler, Youth Services Center Director; Dave Kroeker, Budget and Fiscal Officer

Michelle Schindler, Youth Services Center Director, noted that the Board sent a letter to the State stating youth in the State's custody are to be removed from the Youth Services Center unless there is a signed contract in place by February 17, 2006. She said the issue has still not been resolved and the State has yet to offer a plan for the youth. Schindler asked how the Board would like to proceed.

In response to a question from Hudkins, Schindler said there are ten State wards in the facility, per day, on average. Care days for the period of July to December, 2005 total 2,975. She said the County could potentially close one of the housing pod units if it loses the State contract.

Hudkins noted that the State has refused to pay depreciation costs.

Dave Kroeker, Budget and Fiscal Officer, said the federal government views depreciation as an allowable expense. He indicated that he asked Nebraska Department of Health and Human Services (HHS) two weeks ago to provide documentation to support their position that the State cannot pay depreciation costs and was told their attorneys would be in contact with the County Attorney's Office.

Kristy Mundt, Deputy County Attorney, said they have not contacted her.

Hudkins said the State also contends that Madison County has a lower rate and said the lower rate is for counties that had committed to use of the facility prior to its construction and does not include the education component. He said Madison County's rate is actually higher than what Lancaster County is asking when the education component is added.

Hudkins and Workman both stated they do not believe that the \$234 per day that the Board is asking is excessive.

Stevens said he spoke with Larry Bare, Governor's Chief of Staff, yesterday to see if a "middle ground" could be reached. He stressed that he was speaking only for himself, and not the County Board. Stevens said he proposed a rate of \$225 per day for the contract period of October 1, 2005 through September 30, 2006. The contract would then be open for renegotiation. Bare suggested a rate of \$220 per day, which Stevens said he would not support. Bare then asked that the County Board send a representative to meet with the Governor to negotiate the rate.

Workman suggested extension of the deadline.

Board consensus was to extend the deadline by two weeks.

Hudkins said the contract also needs to define what days the rate is paid.

Schindler suggested that the contract also include notification to the County when evaluations are submitted to the Court.

Workman asked whether the contract includes a recalculation of true costs within the year.

Kroeker said the State will be credited if the actual numbers are lower and will not be billed more if the actual numbers are higher, under terms of the contract.

Workman asked whether the State is willing to eliminate that option in exchange for a lower rate.

Stevens said, "That was my thinking yesterday when I talked to Larry Bare, that if we went to \$225 there would be no downside guarantee."

Workman said he disagrees with charging different rates for different users.

**MOTION:** Hudkins moved and Workman seconded to authorize Commissioner Stevens to meet with Governor Heineman, on behalf of the County Board, to discuss the contract. Stevens, Workman and Hudkins voted aye. Motion carried.

#### **ADDITIONS TO THE AGENDA**

##### **B. Rural to Urban Transportation System (RUTS) Agreement**

Item was scheduled on the February 21, 2006 Board of Commissioners Meeting agenda.

##### **C. Request from Lincoln Housing Authority for a Meeting to Discuss Request to Open West Superior Street for Construction Access**

Board consensus to have Commissioner Hudkins represent the Board at the meeting which is tentatively scheduled for Thursday, February 23, 2006 or Friday, February 24, 2006.

## 8 ACTION ITEMS

### A. Microcomputer Requests:

1. C#2006-060, \$271.43 from Sheriff's Budget for a 17" Flat Panel Monitor

Item moved forward on the agenda.

2. C#2006-047, \$845.50 from the County Engineer's Budget for County Share of Geographic Information System (GIS) Software

**NOTE:** The figure has been revised and \$720.00 is the amount of the County's share of the software.

**MOTION:** Stevens moved and Hudkins seconded approval. Hudkins, Workman and Stevens voted aye. Motion carried.

- ### B. Annual Dues for South Street Business and Civic Association (\$50)

**MOTION:** Stevens moved and Hudkins seconded approval.

The Board asked that Dave Kroeker, Budget and Fiscal Officer, determine the appropriate funding source.

**ROLL CALL:** Stevens, Workman and Heier voted aye. Motion carried.

- ### C. Letter of Support for Ethnic Self-Help Grant (Asian Community and Cultural Center)

**MOTION:** Stevens moved and Hudkins seconded approval, with signature by the Vice Chair. Stevens, Hudkins and Workman voted aye. Motion carried.

- ### D. Payroll Insert for February 23, 2006 (1<sup>st</sup> Choice Credit Union - Loan Promotion, Share Certificate Special and Notice of Annual Meeting)

**MOTION:** Hudkins moved and Stevens seconded approval. Workman, Hudkins and Stevens voted aye. Motion carried.

## 9 ADMINISTRATIVE OFFICER REPORT

- ### A. Recommendations for Lancaster Event Center Advisory Panel Membership

**MOTION:** Stevens moved and Hudkins seconded to recommend appointment of Dan Hinnah. Hudkins, Stevens and Workman voted aye.

Hudkins said he would also like to be considered for nomination.

No further action was taken.

B. Resolution Regarding Notice of Health Insurance Portability & Accountability Act (HIPAA) Privacy Practices

Item was scheduled on the February 21, 2006 Board of Commissioners Meeting agenda.

C. Staff Meeting on March 9, 2006

Item held.

D. Rural Transit

No action was taken.

E. Abbott Motocross Track Update

Eagan said it appears that the project is still going forward.

Board consensus was to ask the County Engineer for a preliminary estimate of the cost to improve Bluff Road for access to the site.

F. Trust Account for Pension Revenue Sharing Funds

Eagan said there is approximately \$87,000 in the account. The funds are currently in a regular bank account.

**MOTION:** Hudkins moved and Stevens seconded to put the funds in a trust account and attribute all interest to that account for the benefit of the pension participants. Stevens, Hudkins and Workman voted aye. Motion carried.

G. Keno Human Services Prevention Fund Grant Recommendations

Item was scheduled on the February 21, 2006 Board of Commissioners Meeting agenda.

#### H. Nebraska Innovation Zone Commission (NIZC) Vacancy

Workman said Jim Strand has resigned from the Commission. The Lincoln Chamber of Commerce has recommended that Roger Severin, Olsson Associates, be appointed as his replacement.

Hudkins suggested Phil Mullin of Garner Industries.

The Board asked Eagan to contact Mullin and gauge his interest.

#### I. Lancaster County's Interest in K Street Power Plant

**MOTION:** Hudkins moved and Stevens seconded to request a County Attorney's opinion on whether the County's financial investment or interest is protected on all properties administered by the Public Building Commission. Hudkins, Stevens and Workman voted aye. Motion carried.

#### J. Lancaster Manor Advisory Committee (Reverend Jeffrey Bloom)

Item was scheduled on the February 21, 2006 Board of Commissioners Meeting agenda.

### 10 DISCUSSION OF BOARD MEMBER MEETINGS

#### A. Juvenile Justice Review Committee - Heier

No report.

#### B. Monthly Meeting of County Board Chair/Vice Chair and Mayor - Schorr, Workman

Workman said he and Schorr relayed the Board's request for a copy of the appraisal on the K Street Building to the Mayor and she said the City Attorney will not allow her to release the document.

#### C. Officials Committee - Schorr, Workman

Workman said the State has the \$500,000 for the East Beltway and \$200,000 is available now, if application is made (20% match is required). He said the funds can be used for design or purchase of right-of-way.

#### D. Parks and Recreation Advisory Board - Stevens

Stevens said Parks and Recreation will ask the City Council to put a bond issue on the ballot for \$2.7 million to fund a linear park along the South Beltway.

E. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

No report.

F. Lincoln Partnership for Economic Development (LPED) Investors - Schorr

Thorpe said the Mayor has formed a committee to review recommendations in the Development and Permitting Process Improvement Study.

G. Board of Health - Hudkins

Hudkins said animal control was the focus of discussion.

H. Information Services Policy Committee (ISPC) - Stevens

No report.

I. Monthly Meeting of Public Building Commission (PBC) Chair/Vice Chair and Mayor - Hudkins

Hudkins said discussion focused on problems with the food service in the County-City Building.

J. Public Building Commission (PBC) - Hudkins, Workman

Workman said security issues and options for Courthouse Plaza were discussed.

## **11 ADJOURNMENT**

**MOTION:** Stevens moved and Hudkins seconded to adjourn the meeting at 11:49 a.m. Stevens, Hudkins and Workman voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk